

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LIBERTARIAN PARTY OF ERIE COUNTY,
MICHAEL KUZMA, RICHARD COOPER, GINNY
ROBER, PHILIP M. MAYOR, MICHAEL
REBMANN, EDWARD L. GARRETT, and DAVID
MONGIELO,

Plaintiffs,

- against -

ANDREW M. CUOMO, as Governor of the State of
New York; ERIC T. SCHNEIDERMAN, as Attorney
General of the State of New York; and JOSEPH A.
D'AMICO, as Superintendent of the New York State
Police,

Defendants.

15-cv-00654-FPG

**NOTICE OF ATTORNEY
GENERAL'S MOTION TO
DISMISS OR,
ALTERNATIVELY, TO
TRANSFER VENUE**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of the Attorney General's Motion to Dismiss the Complaint or, Alternatively, to Transfer Venue, dated November 6, 2015; the Declaration of William J. Taylor, Jr., dated November 6, 2015, and the exhibits thereto; and all other papers and proceedings herein, defendant Eric T. Schneiderman, Attorney General of the State of New York ("Defendant" or the "Attorney General") will move this Court at the United States Courthouse, 100 State Street, Rochester, New York, at a date and time to be scheduled by the Court, for an order pursuant to Rules 12(b)(1), 12(b)(3), and 12(b)(6) of the Federal Rules of Civil Procedure and 28 U.S.C. §§ 1406(a) and 1404(a), to dismiss plaintiffs' Complaint, dated July 21, 2015, with prejudice, or, alternatively, to transfer this case to the Northern District of New York, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
November 6, 2015

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York

By:

/s/William J. Taylor, Jr.

WILLIAM J. TAYLOR, JR.

Assistant Attorney General

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(Via E.C.F.)